

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:15-mj-00122-MR-DLH**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
TROY ANTHONY BUNCH,)	
)	
Defendant.)	
<hr/>)	

THIS MATTER is before the Court *sua sponte* to continue the case.

On September 30, 2015, the Defendant was charged in a Bill of Information with assaulting, resisting or impeding United States Department of Veterans Affairs police officers while such officers were engaged in the performance of their official duties, in violation of 18 U.S.C. § 111(a)(1). [Doc. 1]. The Defendant made his initial appearance on September 30, 2015, at which time counsel was appointed. The Defendant's arraignment was held on October 2, 2015, at which time this case was placed on the October 26, 2015 calendar for trial.

The Court finds that this case should be continued. "Unless the defendant consents in writing to the contrary, the trial shall not commence

less than thirty days from the date on which the defendant first appears through counsel or expressly waives counsel and elects to proceed pro se.” 18 U.S.C. § 3161(c)(2). The Defendant here has not so consented, and thus, his trial may not start less than thirty days from his appearance with counsel.

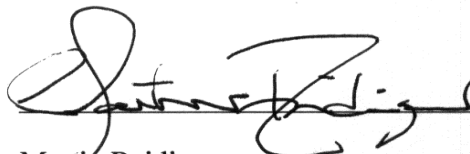
Further, if this case were not continued, the Court finds that counsel would be denied “the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.” 18 U.S.C. § 3161(h)(7)(B)(iv).

For the reasons stated herein, the ends of justice served by the granting of the continuance outweigh the best interest of the public and the Defendant in a speedy trial. See 18 U.S.C. § 3161(h)(7)(A).

IT IS, THEREFORE, ORDERED that the above-captioned case is **CONTINUED** from the October 26, 2015 term in the Asheville Division.

IT IS SO ORDERED.

Signed: October 2, 2015


Martin Reidinger
United States District Judge

